2:Seligman & Seligman E-5 (1909-1910) 1932
FJ23 Shilluk FJ23

756 waning, but when it was suggested that perhaps an *ajuago* might then have connection this was strenuously denied.

753 Perhaps the commonest cause of sickness was the entrance into a person of the spirit of one of the divine kings, a cure being effected when the spirit could be persuaded to leave its involuntary host.

[643] We believe that only the early kings were thought to produce illness in this manner, and certainly the three or four cases into which we inquired were all said to be possessed by Dag. One of these cases,

[751] a woman who recovered after two sheep had been sacrificed to Dag, wore bead anklets, and amidst the beads there were threaded small pieces of the conchae of the ears of the goats. These anklets were considered protective against future possession by Dag.

695 Oaths are sworn by Nyakang, or on one of the holy spears from the shrine of Nyakang. Westermann notes that the latter form is used only in judicial procedure: a sheep is killed, and both parties are smeared with its blood, after which they swear by the spear, perjury being followed by death. In swearing by Nyakang his name is often coupled with that of one of the villages in which he has a shrine, e.g. a man may swear by Nyakang of Akurwa. The early kings may also be invoked by name, especially Dag.[1]

695 773 Reference has been made to the cattle belonging to Nyakang and kept at his shrines. In common parlance these are "cows of Nyakang", but besides these there was a mythical herd of mysterious cows from the river also known as the "cows of Nyakang", and from their dung were obtained the "ashes of denying", described by Westermann as follows:—

> "Once Nyikang caught a cow in the river. . . . It had no ears or horns. This cow was the beginning of a sacred herd. . . . They live in the river and come out to feed at night. . . . some say the Dervishes took them, while others affirm that it was the Turks. . . . The ashes were made by burning the dung of the sacred cattle. They are preserved at Wau and other villages dedicated to Nyikang, and are applied in . . . cases of adultery. . . . When the woman has confessed, but the man denies, they take recourse to the 'ashes of denying'. An old chief, taking a spear in his hand, stands erect, and offers the following prayer: 'You Nyikang, the ashes are yours! If this man has not had intercourse with this woman may he escape! But if he has had intercourse with this woman, may he die! If this woman accuses falsely may he escape!' After this the chief takes some of the ashes on his hand and strikes the man with it. Then the one who has sworn falsely will die."[2]

[1] Op. cit., xliii. [2] Op. cit., xliv.

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

773 a third wife, whose eldest child, a son, was called Duwat *(Duɔgɛ)*. The name *Dimǫ* also occurs as that of a son of Okwa, but I could not make out who his mother was. Nyikang was in form partly a man, and partly a crocodile.

[The exact pronunciation of Nyikang is *Ńĺkàŋ̀*, but the final *ǫ* is often omitted: *Ńĺkàŋ́*; the form *Ńdkàŋ́* also occurs; in older literature the name is written Nyakam, Nyekom. *Ńĺkàŋ̀* is a composition from *ńi*, *ńa* "son" and *Kāŋǫ*, which is probably a proper name; thus *Ńĺkàŋ̀ǫ* means: "son of *Kāŋǫ*." The name *Kāŋǫ* occurs also in *Okāŋǫ*, which is composed from *O* and *Kāŋǫ* and means "descendant of *Kāŋǫ*; *Okāŋǫ* is another name designating the Shilluk people. But about *Kāŋǫ* the traditions, as far as they are kown, say nothing. — Frequently Nyikang is simply called *rĭt* "king".]

776 775 Nyakayo *(Ńakāyǫ)*, the mother of Nyikang, exists up to the present time. Her residing place is about the junction of the Sobat and the White Nile. This is remarkable, as according to the tradition she did not emigrate with her son Nyikang, and yet does not now live in her original place, but in the Shilluk country. She sometimes appears from out the river, generally in the form of a crocodile, but at times in other forms. No worship or sacrifices are offered to her, but when a man or animal is taken by a crocodile, this is attributed to *Ńakāyǫ*. When she does this, the people must not complain; it is rather an honour, when she takes her sacrifice from a village. NYAKAO, THE MOTHER OF NYIKANG

695 In dubious judicial cases Nyakayo is resorted to as judge. The accused one is tied in a river, and a goat is bound and laid on the river-bank near by. This latter is done to allure a crocodile. If the accused one is taken by the crocodile (i. e. by Nyakayo), he was guilty. But not infrequently the delinquent, from fear of being lacerated by the crocodile, confesses his crime.

773 Between Nyikang and one of his brothers, probably Duwat, there arose a quarrel after their father's death; according to some, about who should follow the father in the chieftainship, others say it was a quarrel about cattle. As they did not come to an agreement, Nyikang together with *Omgi*, his brother, and his half-brother Ju (and his three sisters), left the country,[1] seeking for a new abode; when he started, *Duɔgɛ* threw a digging stick after him, wherewith to dig the ground (or to bury the dead). Several tribes whom he met on his way, joined him, thus increasing the band of his followers. Nyikang settled about the mouth of the Sobat, and here founded the kingdom of the Shilluks. To increase the population of his new foundation, he changed animals and fabulous beings whom he found in the place, into men, built villages for them, and made them his subjects. NYIKANG'S EMIGRATION

While residing in the Shilluk country, Nyikang fought many wars, among NYIKANG'S END

[1] "acquiring wings and flying away to the mouth of the Sobat", A. E. S.

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

SWEARING OATHS BY NYIKANG

By Nyikang also oaths are sworn. The expressions mostly used in swearing an oath are: *Ńikaŋ ekɛ!* i. e.: "Nyikang indeed", "by Nyikang!" *Ńikaŋ anaŋ!* i. e. "Nyikang here!" or: "Nyikang now!" Another form is to couple his name with any of the sacred villages, as *Ńikaŋ a Wau!* i. e. "by Nyikang of Wau!" Likewise *Ńikaŋ a Ńelwal*, etc. In their conversations they are constantly using these oaths; they often make promises under oath, which they, however, readily break without any fear of penalty. They swear also by Dak, or any other of the ancient kings.

Another mode of swearing, which is used in judicial cases only, is to swear by the holy spear (of Nyikang): the *ajuŋŋo* who keeps the spear, sacrifices a sheep and puts the blood upon the accused and the accuser, and offers a prayer that justice may follow. Now the accuser or the accused or both swear by the holy spear. If a person perjures himself, death is sure to follow as penalty.

HOW NYIKANG APPEARS

Nyikang at times appears in the forms of certain animals, as ichneumons, rats, snakes, lizards, or in birds. The tree on which such a bird alights, is considered holy, and is henceforth dedicated to Nyikang; beads and pieces of cloth are suspended on its branches, sacrifices and prayers are offered below it. When once the Turks felled such a tree without knowing its destination, terror fell on the by-standing Shilluks; they walked in procession round the tree, filled the air with lamentations, and killed an ox to propitiate their ancestor.

NYIKANG AND THE "PROPHETS"

Though Nyikang is considered inferior to Jwok, sometimes the names of both are called simultaneously in the same prayer. In some prayers the name of Dak, a son of Nyikang, is also invoked beside that of Nyikang; but this is not frequent. It seems, however, that in some measure the nearest descendants of Nyikang, or rather the ancient kings of the Shilluks, enjoy some kind of veneration, though perhaps this may not be called religious. They sometimes talk about the *rōr*, which is the plural of *rit* king, and has in this connection the meaning of "Prophets", or one analogous to that of the "Judges" of the ancient Hebrews. In several villages there are huts, like those of Nyikang, dedicated to one of these ancient kings or "*rōr*".

JWOK AND NYIKANG

In the political, religious and personal life Nyikang takes a far more important place than Jwok. Nyikang is the national hero, on whom each Shilluk feels proud, who is praised in innumerable *popular songs and sayings*; *he is* not only a superior being, but also a man. He is the sublime model for every true Shilluk; everything they value most in their national and private life, has its origin in him: their kingdom and their fighting as well as cattle-breeding and farming. While Nyikang is their good father, who only does them good, Jwok is the great, uncontrollable power, which is to be propitiated, in order to avoid his inflictions of evil.

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

773 THE COWS OF NYIKANG

The natives frequently speak of the "cows of Nyikang". This expression is used in two different meanings, one mythological and one real.

Once Nyikang caught a cow in the river in a fish-net. It had no ears or horns. This cow was the beginning of a sacred herd; if anyone touched them who was not of their attendants, he died. They live in the river and come out to feed at night. This herd was carried away; some say the Dervishes took them, while others affirm that it was the Turks. From the dung of this herd the "ashes of denying" were gained. The ashes were made by burning the dung of the sacred cattle. They are preserved at Wau and other villages dedicated to Nyikang, and are applied in ordeals, when cases of adultery are to be tried. When the woman has confessed, but the man denies, they take recourse to the "ashes of denying". An old chief, taking a spear in his hand, stands erect and offers the following prayer: "You Nyikang, the ashes are yours! If this man has not had intercourse with this woman, may he escape! But if he has had intercourse with the woman, may he die! If this woman accuses falsely, may she escape!" After this the chief takes some of the ashes on his hand and strikes the man with it. Then the one who has sworn falsely, will die.

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The other application of the term is to cows devoted to Nyikang by the king. Each year the king gives a steer and a cow to the villages in which the cows of Nyikang are kept. The male is killed and used for food. If any person not belonging to the attending herdsmen, eats of the meat of these animals, he becomes a servant of Nyikang, and must take up his residence in that village. The female is kept for breeding purposes. The *Kwa Obɔ̈gɛ* (vide page 130) herd these cattle. The chief of these villages of Nyikang seems to be Wau. If an outsider tried to milk one of these cows, he would die.

756 SORCERY

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The third factor in the religion of the Shilluks is the *ɔ̀jwɔ̀gɔ́*, and what is connected with him; *ɔ̀jwɔ̀gɔ́* is the witch doctor or sorcerer; the word is probably derived from *jwɔ̀k* "God", and would then mean: "one who is dependent on God", or "who has to do with God". As his most prominent business is to procure rain, Europeans generally call him rain-maker. He is the mediator between the people and Nyikang; he leads the dances and prayers to Nyikang, and presides at the sacrificial ceremonies. He heals also sicknesses by administering charms: Sick people apply to him with the present of a sheep or goat, or even an ox; the animal is killed, and the contents of its stomach are laid on the sick person's body; or the skin of the animal is cut into strips and these are fastened below the knee of the patient. This is also applied as a protection against dangers on a journey. When in the dry season the cattle are brought across the river, the sorcerer has to prepare charms to protect them from being seized by crocodiles. Besides this he is able to perform miracles, to kill

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

Chapter VII

JUSTICE

692 A great part of the work of the king and his chiefs is the
648 administration of justice. This is done under the super-
643 vision of the local British officials, and, of course, has been
681 restricted in some ways. The former ruthless butchery and mutilation for petty offences is no longer tolerated, nor is the sentence of death and the execution of such a sentence permitted to them. Apart from this, however, it is the policy of the Sudan Government to encourage the various native peoples of the country to administer their own territory according to their age-long traditions and usages. And indeed, a harassed District or Assistant District Commissioner with only a handful of police to help him in administering an enormous area, being neither argus-eyed nor possessed of the power of being in several places at once, can attend personally only to a fraction of the cases that continually come up for attention. He will deal with the more serious criminal offences, but the majority of disputes and petty
643 crimes among the Shilluk are heard and decided by the king
634 and the district chiefs.
577 Whether justice as we understand it, the meting out to an individual exactly what is his due, is always done in these cases is another matter. To say, as is often said, that the African has a strong sense of justice and resents being treated unjustly, is not strictly true. He certainly resents being treated unjustly, but often he equally resents being treated justly when the judgment given is detrimental to
695 himself. Hence, in a criminal case in which he is the accused,
577 or in litigation with his neighbour, he will cheerfully swear to tell 'the truth, the whole truth,' meaning all the time 'and nothing like the truth.' Then he spins a most convincing tale which none of the listeners believes but cannot fail to

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

admire on account of its ingenuity and plausibility, will bring forward a cloud of witnesses to support his statements and with an air of 'that's my story and it's sticking to me' implicitly challenge the court to disprove it or his opponent to go one better. And if perchance his version of the facts of the case is shown to be the reverse of reality and his witnesses are confounded and made to contradict one another, no one is shocked at such blatant falsehood; the onlookers rather are disgusted at the poor show he has put up and at the poor staff work which has permitted the witnesses to be caught out.

Most of the cases which are brought before the native courts are concerned with the ownership of cattle. They are usually claims for cows to replace the original units of a dowry which have died, or for the return of cattle which have been paid with a view to a marriage which for some reason or another has not taken place, or which, if ratified, has been broken up owing to the sterility or the unfaithfulness of the woman. Such cases are tremendously involved and intricate, and only a Shilluk well versed as he is in his tribal laws and customs can possibly follow them. For instance a Shilluk often starts paying cattle for a bride whilst she is still a child, and six or seven years must elapse before she is of marriageable age. The prospective husband may leave the country, having as it were 'staked a claim', only to return later to find that the girl's father has bestowed her on another suitor. The disappointed swain at once demands his cows back but these are beyond recall, having long since been dispersed throughout the country as parts of other dowries. There are, it is true, some cattle left of the second dowry, but no Shilluk worth his salt will easily part with cattle which have once come into the family byre in prompt settlement of a mere debt. So the father puts the angry man off with soft words and fair promises, and then another spanner is thrown into the works; the daughter is ignominiously returned for some reason or other and suitor number two requires that his dowry be returned. Father hopefully offers the rejected daughter to her former suitor,

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

691 but he now makes it plain that he wouldn't have her as a
583 gift, and indeed has made overtures to another lady, so
422 please may he have his cattle and—just to make things a little more complicated—the calves that they have had, and can he have them at once since his new prospective father-in-law is getting a little nasty about the lack of dowry, and hinting that his daughter's affections may easily be bestowed elsewhere. 'Not quite so fast,' says number two, 'those cows are mine and mine only and quite obviously their calves are mine too, so kindly arrange for the immediate delivery of the same.' Father pours ridicule and scorn on both claimants to the calves. It is true, he admits, that both young men have some sort of a claim to cattle—which he will settle by and by when he gets a bid for his youngest daughter at present crawling round the floor—but for either of them to claim the calves is preposterous; surely they belong to him who has had all the trouble of herding the beasts; to his skill and industry in nursing the cows through the difficult time of calving is due the fact that there are any calves at all! And so the arguments and counter arguments, taunts, recriminations, insults and threats will be tossed back and forth. Tempers will rise and maybe sticks will be flourished and spears flashed. It can happen that one of the parties will work himself into a blind passion and regardless
[682] of the consequences may break his adversary's skull or thrust his spear into him, but generally, fear of reprisals from the clansmen of his opponent and the justice that will certainly be meted out to him by the white man in Malakal, should he survive long enough to be arrested, advises caution; and since none of the contestants is strong enough to take by force what he considers to be his by right, the dispute is eventually, albeit reluctantly, brought up before
[634] the district chief.

● 695 Reluctantly, I say, because the litigants know full well
693 that whoever is going to lose by the decision of the court, the judge isn't. The plaintiff may marshal his facts with unassailable logic, clothe them in masterly oratory, and present them with crystal clear lucidity. He and his witnesses may even

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

be telling the truth, and therefore be quite unimpeachable, but he is aware that if the verdict is given in his favour it will be, not so much because of the justice of his claim and his forensic skill in presenting it, but rather because he has promised the judge a bigger 'fee' than his opponent has.

Among the Shilluk the Christian precept of forgiveness of one's enemy does not obtain, but they follow rather the old Jewish principle of retribution for injuries inflicted, and although they will not literally demand 'an eye for an eye and a tooth for a tooth', there is a recognized scale of payment for all such injuries. The penalty for knocking a tooth out is especially severe, the aggressor having to pay the injured party a cow. For an offence against an unmarried girl, her father will claim three cows, and for adultery the fine is four cows. Woe betide the offender who refuses to pay up; he will be wise to keep clear of the district in which the injured party lives, for the relatives of the latter will most surely wreak their vengeance on his person. In the case of homicide, blood payment of ten or more cattle is demanded, quite apart from any penalty that the law may inflict, but sometimes the grief-stricken relatives of the dead person will fulfil quite literally the commandment 'The kinsman of him that was slain shall kill the murderer' (Num. 35: 19), and if perchance he is already in custody and out of their reach will exact vengeance on one of his male relatives. Then the family of the second victim will strive to vindicate their manhood by a raid on the other village and more killings may take place and the feud develop into a minor war, till such time as police can be got to the place and the culprits are arrested.

A grim instance of vendetta occurred in the Lul district a few years ago. A quarrel arose among some youths, tempers rose, a blow was struck and the unlucky recipient died. The aggressor was arrested and sent to Malakal for trial, but a few days later his home was raided and his father murdered as he sat defenceless at his supper. Before police could arrive from Kodok or Malakal, the village of the dead youth was

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

fend for himself during the intervening months, and he spends the time drinking bowls of beer and smoking pipes of rank tobacco with his cronies, discussing the many complexities of women and particularly that formidable mother-in-law of his whom he may never visit, may never even meet, even going to the length of turning aside from her path and averting his head should he chance to see her on the road. He dreams up, too, rosy dreams of his daughter, for it is always a daughter of course, who will be the apple of his eye and the pride of his life during her childhood and who will bring in many heads of fat cattle when she becomes of marriageable age.

On the day of the birth, a custom, of interest to all, but fraught with a certain amount of apprehension and anxiety to some, takes place. Before the mother is given her baby to nurse she must name publicly all her former lovers. Failure to do so, it is averred, will result in the death of the child, and should she refuse to confess she would not be given the baby at all, but it would be reared by a foster-mother. It may be that the girl can say with honesty that she has had no pre-nuptial amours, and that up to the time of her marriage she had preserved her virginity intact. Since the general character of such a girl would be fairly well known in her own village, her word would be accepted and she would be given the child. But if perchance the infant should die, it would be taken as a sign that she had lied. Unfortunately such paragons of virtue among Shilluk maidenhood are rather rare, and the term 'virgin' applied to a nubile girl has something of an unmeaning character, useful only in distinguishing her from her married sisters. Nobody then is in the least shocked or surprised when the girl recites a number of names of men with whom she has been before her marriage.

The men thus accused may either admit the charge or indignantly deny it. If a man admits his transgression he must pay the outraged husband three sheep or goats, or, if he is the father of the child just born, three cows. If he denies the accusation he undergoes a variation of 'trial by

29:Dempsey M-5 (1940-1954) 1955
FJ23 Shilluk FJ23

ordeal'. He brings a sheep to the village where the girl is; a corner of the animal's ear is cut off and the piece put into a bowl of water and the man, the girl and the baby are sprinkled with the resultant blood and water. If by the following morning the child is still alive the man is adjudged to have lied and must pay compensation as above. If, however, the baby should die during the night, then the girl is held to have accused the man falsely.

During the reign of King Kur, whose despotic methods of government resulted in his being removed from office, a much grimmer and more realistic trial by ordeal was enacted. The man and the girl were brought to a channel of the Nile where a large crocodile habitually dwelt. By some means this brute was called up from the depths and the pair placed equidistant from it were made to swim across the channel, or, if they could not swim, were launched on flimsy rafts. The one that the crocodile seized was deemed to be guilty of lying. It is on record that one youth about to be put to the test in this manner protested thus, 'I know that I am innocent all right, but how does the crocodile know that?'

After the proceedings of the naming and the trying of the lovers is concluded, the mother is allowed to have her child. If it should be a boy, the father, who has been informed of the birth and sex of the child though as yet he is not allowed to see him, sends a present of a miniature harpoon, presumably indicative of his desire that his son should grow up to be a mighty hunter of hippopotami. Then a small basket is woven and filled with ashes of burnt cow dung. One of the baby's maternal uncles hangs the basket round his waist calling upon Nyikang to bless the child and to make him a good husbandman. (The basket containing the ashes represents the large family basket filled with grain.) He then walks round the hut where the baby is, beats upon the wall with the basket and then throws it into the road. If the child is a girl the ashes are mixed with water and the uncle makes models of a bull and a cow. Nyikang's blessing is invoked upon the child that at her marriage she may command a good